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JOHN DICKINSON

THE AUTHOR OF THE DECLARATION  
ON TAKING UP ARMS IN

1775

BY  
GEORGE H. MOORE, LL.D.  
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*With a fac-simile from the Original Draft*

NEW YORK  
PRINTED FOR THE AUTHOR  
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*Read before the New York Historical Society, June 6th, 1882.*

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TROW'S  
PRINTING AND BOOK-BINDING COMPANY,  
NEW YORK.



## JOHN DICKINSON, THE AUTHOR OF THE DECLARATION ON TAKING UP ARMS IN 1775.

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JOHN DICKINSON had no superior in the highest rank of the advocates of his country's rights during the period of the Revolution. From the commencement of the disputes with the British Government, he was one of the most able, alert and fervid of its adversaries: and if he has been much less celebrated than his eminent coadjutors, a just view of all the circumstances which affected his popularity and for a time cast his fame into shadow can only raise the degree in which he should be known and revered by the present generation of Americans. Although born and nurtured among that great religious people, the Society of Friends, whose faith righteously regards all wars and fightings as abomination, unfitted by education and social surroundings for the role of a soldier, having little of the constitution of those common, and vulgar and (I regret to say it) popular heroes, cut out for the executive and brutal business of war; still he went to the front with his regiment in 1776: and if he was not one of the many who fought with the armies—no one can

doubt that he was amply endued with that “courage of the cabinet” which Burke justly proclaims to be more powerful and far less common than the valour of the field. The language of that great orator, describing true statesmen and patriots generally, can justly be applied to Dickinson :

“ Their fortitude is very different from the unthinking alacrity of the common soldier, or common sailor, in the face of danger and death ; it is a cool, steady, deliberate principle, always present, always equable ; having no connection with anger ; tempering honour with prudence ; incited, invigorated, and sustained, by a generous love of fame ; informed, moderated, and directed, by an enlarged knowledge of its own great public ends ; flowing in one blended stream from the opposite sources of the heart and head ; carrying in itself its own commission, and proving its title to every other command, by the first and most difficult command, that of the bosom in which it resides.”

He was the eldest son, by a second marriage, of Samuel Dickinson of Maryland. His mother was Mary Cadwallader, of Pennsylvania, descended from one of the first settlers of that state. They were married in the religious Society of Friends. Sometime after the birth of this son in the winter of 1732-3, and while he was yet a youth, they removed to Delaware. His father gave him the best education in his power, and the growing boy enjoyed the great blessing of a cultivated and accomplished mother. He read law in due course, and completed his legal studies by a residence of three years in the Temple, London. After his return, he settled in Philadelphia and began what turned out to be a very successful practice. He married, in 1770, Mary Norris a daughter of the old Speaker Norris—a match which

strengthened the ties that attached him to the Society of Friends and grew stronger as he approached the decline of life. This is apparent from the greater frequency and ultimate constancy of his use of the plain language in all his later correspondence. He died at Wilmington, in Delaware, where he had fixed his residence after his retirement from public life, on the 14th February, 1808—and rests, with his wife, in the ground belonging to the Society of Friends, in that place.

In the division of parties after the adoption of the Federal Constitution, Mr. Dickinson became a Democrat, and hailed the election of Mr. Jefferson to the Presidency with unfeigned satisfaction. I have several of his unpublished letters to Jefferson which are full of joyous anticipations.

He thought (21st February, 1801), "the influence of our transactions is not to be confined within the limits of our own land. Perhaps we are the selected People upon Earth, from whom large portions of Mankind are to learn that Liberty is really a transcendent blessing, as capable by its enlightened energies of calmly dissipating its internal enemies, as of triumphantly repelling its foreign foes. . . . My belief is unhesitating, that by the superintending Providence (of the adorable Creator of the world) a period greatly favorable is commencing in the destinies of the Human Race."

A later letter (22d January, 1804) more strongly expresses his personal regard for the President and his anxious forebodings of the results of party strife in the republic.

"The persevering hatred of the Federalists afflicts me, whenever I think of it. It is ominous. If such a temper can be cherished and supported in the youth of our commonwealth and under such an administration,

6 *John Dickinson, the Author of the Declaration*

and in so much prosperity as we have for several years enjoyed, what peace can we look for, when future circumstances shall hold out to unprincipled ambition stronger temptations to fraud and violence.

“ History has been a favorite study with me ; and I can with truth declare, that in all its pages I have never met with such an instance of embittered and unprovoked hostility. Yet, in defiance of all this rage, thy country loves thee, acknowledges thy integrity, and reposes confidence in thy experienced abilities. At the same time thou must be conscious of the purity of thy intentions, and will, I hope, remember the faithful and important services thou hast rendered to these states and to the interest of humanity. These are sources of consolation of which I wish thee largely to partake.”

I cannot now give further illustrations of the personal relations which existed between these eminent men, save to read the letter of President Jefferson to Joseph Bringhurst (Feb. 24, 1808) on receiving the news of Dickinson's death.

“ Your letter of the 16th . . . gave me the first information of the death of our distinguished fellow citizen, John Dickinson. A more estimable man, or truer patriot, could not have left us. Among the first of the advocates for the rights of his Country when assailed by Great Britain, he continued to the last the orthodox advocate of the true principles of our new government, and his name will be consecrated in history as one of the great worthies of the revolution. We ought to be grateful for having been permitted to retain the benefit of his counsel to so good an old age ; still, the moment of losing it, whenever it arrives, must be a moment of deep-felt regret. For himself, perhaps, a longer period of life was less important, alloyed as the feeble enjoyments

of that age are with so much pain. But to his country every addition to his moments was interesting. A junior companion of his labors in the early part of our revolution, it has been a great comfort to me to have retained his friendship to the last moment of his life."

The proceedings in the Congress of the United States, upon the announcement of his death, indicate the esteem in which he was held.

On Friday, February 19, 1808, Mr. Eppes [of Virginia] said :

"It has just been announced to me by a friend that John Dickinson, a venerable patriot of our Revolution, is no more. His attachment to liberty and his exertions in our struggle for independence are recorded on the page of history. His talents, his private virtues, and above all, his public services, entitle him to those marks of respect which have heretofore been extended to other patriots of the Revolution who no longer exist but in the remembrance of a grateful Country.

"Mr. Eppes then moved the following resolution, which was adopted :

"*Resolved unanimously*, That this House is penetrated with a full sense of the eminent services rendered to his country in the most arduous times by the late John Dickinson, deceased; and that the members thereof wear crape on the left arm for one month, in testimony of the national gratitude and reverence towards the memory of that illustrious patriot.

In the Senate, on Monday, February 22d, 1808: Mr. Samuel White, of Delaware, announced the death of John Dickinson.

"Mr. President: It is with much pain and regret, sir, that I rise to announce to the Senate the irreparable loss our country has sustained in the death of one of

her worthiest citizens and most distinguished patriots. Time has measured and told the days of another venerable sage of the Revolution. John Dickinson, the illustrious contemporary and friend of Washington and Franklin, is now no more—his head and his heart devoted to the service and love of his country, till his locks were bleached by the frosts of more than seventy winters, have now descended in silence to the grave. No humble eulogy of mine shall attempt to approach his exalted merit. The happiness of his fellow-citizens was his only aim, and upon the grateful hearts of his countrymen is indelibly engraven the dearest memento of his wisdom and his worth. Those who shared his personal acquaintance will never forget his private virtues—volumes from his pen, that do honor to the age, that will be read and admired as long as the love of science and freedom shall be cherished, record his inflexible patriotism; and the liberties of this country, which he contributed so essentially in establishing, will I hope long, very long indeed, sir, continue to be the proud and unshaken monument of his fame. The feelings of every gentleman of this honorable body will I am sure be in unison on the motion I am about to propose; it is an humble tribute of respect to the memory of the deceased, in the form of the following resolution:

*“Resolved, unanimously, That the Senate is penetrated with the full sense of the merit and patriotism of the late JOHN DICKINSON, Esq<sup>r</sup> deceased, and that the members thereof do wear crape on the left arm, for one month, in testimony of the national gratitude and reverence towards the memory of that illustrious patriot.*

“This resolution was immediately adopted.”

A brief review of the public services of Dickinson will fully justify the most favorable estimate. His first elab-

orate effort against the policy of the British Cabinet, was a spirited pamphlet, printed at Philadelphia in 1765 —entitled, “*The late Regulations respecting the British Colonies on the Continent of America, considered.*” At the Stamp Act Congress in New York in the same year, he prepared the draft of the bold and pregnant resolves of that body.\* In 1766, he published an address to a Committee of Correspondence in Barbadoes to vindicate the honour of his country, which they had grossly and wantonly insulted by a charge of rebellion for opposition to the Stamp Act and to refute opinions which in unfortunate times, might if adopted, prove injurious to Liberty.

He next issued in 1767–8 his celebrated Letters from a Farmer in Pennsylvania to the Inhabitants of the British Colonies, which soon became the political Bible of North America.† *Maseres* : i. 284, *Hutchinson* : iii. 171, note.

The principal doctrine advanced in them is this: “that the British Parliament, for want of representatives from the several colonies of America, had no right to impose any taxes whatever on the Americans either internal or external, with a view to raise a revenue; but could only lay external taxes, or port-duties, on the commodities imported into, and exported from, America, with a view to the regulation of their trade.”

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\* It was at that Congress in New York in 1765 that Dickinson became acquainted with James Otis, an acquaintance which soon grew into friendship and was recalled in his later years when he wrote to Mercy Warren (the accomplished sister of Otis)—“At this distant period, I have a pleasing recollection of his candour, spirit, patriotism and philosophy.” *Tudor’s Otis* : 234 : note, *Monthly Anthology* : v. 226. April: 1808. Dickinson’s letter to Mrs. Warren : 25th of the 1st month, 1805. Tudor prints it “25th of the 9th month.” Dickinson’s letter to James Otis, accompanying the Farmer’s Letters, December 5, 1769, is in Mrs. Warren’s *Hist. Am. Rev.* i. 412.

† First published in the *Pennsylvania Chronicle* and *Gazette* in twelve numbers beginning on the third of December, 1767, they were reprinted in the newspapers all over the country. The first pamphlet edition came out in March, 1768, and the second in the following June.

No other single patriot of his time contributed more to the enlightenment of the American people in general on their rights, and the preparation of their minds and hearts for inflexible self defence, than John Dickinson in this famous publication. The Farmer's Letters were more practical, minute and skilful in their style and strain, than the writings of Otis, Adams, or Quincy: and they had a much wider circulation and influence, both in the colonies and Europe. They speedily passed through many editions, in several places. Richard Henry Lee wrote the preface to the Virginia copy; and Dr. Franklin to the London edition, printed under his auspices in 1768.\* They were translated into French and published in Paris, where they had a most flattering reception.

As they circulated through the Colonies, thanks and gratulations came back upon the author from all quarters. A special committee appointed at a town meeting in Boston—among whom were Hancock, Samuel Adams and Dr. Warren, were charged to tender him the acknowledgments of the town, which they did in a most emphatic address. They styled him the “Friend of Americans, and the common benefactor of mankind.”†

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\* Arthur Lee, writing to Richard Henry Lee from London, says: “The Farmer's Letters are much read here, but to little purpose, though universally admired and no answer attempted.” *Life of R. H. Lee*: i. 59-61. Jefferson however, in 1815 (Aug. 5, to Wirt) considered “the celebrated Farmer's Letters . . . really but an *ignis fatuus*, misleading us from true principles.” *Works*: vi. 486. *Dr. Franklin to M. Le Roy*: from London, 31 January, 1769, says: “The Farmer's Letters were written by one Mr. Dickinson, of Philadelphia, and not by me, as you seem to suppose. I only caused them to be reprinted here with that little Preface, and had no other hand in them, except that I see *some of my sentiments formerly published, are collected, and interwoven with those of others and his own, by the author*. I am glad they afforded you any amusement.”

† *Dr. Nathaniel Ames's Almanack* for 1772 gave a fearful woodcut portrait of John Dickinson, “who with Attic Eloquence and Roman Spirit hath asserted the Liberties of the British Colonies in America.” A view of Mrs. Catherine M'Cauley also appeared in the same publication.

The fruits of his patriotic pen at this period were not limited to prose. A "Song for American Freedom" chiefly composed by him became very popular throughout the whole country. It was written to the tune *Heart of Oak*, then well known to all Englishmen in the verses of David Garrick and music of Doctor Boyce. *See Appendix* : i.

In 1774, he wrote the Resolves of the Committee for the Province of Pennsylvania and their instructions to their representatives. These instructions embodied a thorough and exhaustive Essay on the Constitutional Power of Great Britain over the Colonies in America. Thus his eminent abilities and their generous exercise in the service of his country, had been widely acknowledged before those assemblies came together of the great Continental Congress in which he was to win his most lasting honors. He made his first appearance in that Congress on the 17th of October, 1774.\*

A committee had been appointed to prepare an Address to the King—and on the 21st of October, they brought in a draft, which "was written in language of asperity, very little according with the conciliatory disposition of Congress." After some debate, it was re-committed, and Mr. Dickinson was added to the Committee, who drew and reported the paper, which, after some amendments, was approved and adopted as the First Petition to the King.†

\* "His election was on Saturday the 15th, and on Monday the 17th Oct<sup>r</sup> he took his Seat in Congress and immediately entered deeply into the business then under deliberation. He was app. one of the Comm<sup>ee</sup> to prepare an Address to the people of Canada, and the first draught of the Petition to the King not meeting the approbation of Congress was recommitted, and he was added to the Com<sup>ee</sup> and had a principal hand in [drawing up] that which was sent." *MS.* p. 12. *N. Y. H. S. Coll.* 1878, p. 280. *Penn. Mag.* ii. 418.

† John Adams who subsequently caricatured Mr. Dickinson so ungraciously, on the 24th Oct. 1774, made this entry in his Diary in the midst of a general faint-finding.

The pen of Mr. Dickinson was also employed during the same latter days of the session in the composition of The Address of Congress to the Inhabitants of Quebec, which was in like manner accepted and approved.

This Congress was an assemblage of men, no less distinguished for their talents than their patriotism, men who were not only acquainted with their rights but knew how to maintain them: and these papers, drawn with the ability of a scholar as well as a statesman, elicited universal admiration for their firmness, their unexampled dignity and elevation of sentiment as well as energy and eloquence of diction. Franklin, who was in London at the time, says they were much admired. "Nothing of the kind has been more thoroughly published or more universally read." *Works*: x. 437.\*

These were the State Papers of the American Congress—these "masterpieces of practical talent and political wisdom," which called for the splendid panegyric of

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ing, &c. "Mr. Dickinson is very modest, delicate and timid." The personal relations of these eminent men had an important bearing upon the events of their time and their subsequent treatment in history. Adams's utterances about Dickinson should all be examined and compared, &c. See his *Works: passim*. Also his letters to Jefferson, in *Works of Jefferson. Adams to Rush*: 30th Sept. 1805. "Although Mr. Dickinson was then offended with me, *on account of an intercepted letter*, and *never spoke to me personally*, yet I was told that he was highly pleased with my sentiments on foreign affairs." *Works*: i. 200. See also the correspondence between John Adams and John Jay in 1818, which is very characteristic and important. *Jay's Jay*: ii. 378-384.

\* The writer of the *Annual Register for 1775*: says "it must be acknowledged that the petition and addresses from the Congress have been executed with uncommon energy, address and ability; and . . . considered abstractedly, with respect to vigour of mind, strength of sentiment, and the language, at least, of patriotism, they would not have disgraced any assembly that ever existed." p. 36.

The same writer says, in another place, "Of all the papers published by the American Congress, their address to the French inhabitants of Canada, discovers the most dextrous management, and the most able method of application to the temper and passions of the parties, whom they endeavour to gain." p. 32.

Lord Chatham in the House of Lords—which you all remember :

“ When your Lordships have perused the papers transmitted to us from *America*, when you consider the dignity, the firmness, and the wisdom, with which the *Americans* have acted, *you cannot but respect their cause*. ”

“ History, my Lords, has been my favourite study, and in the celebrated writings of antiquity, have I often admired the patriotism of Greece and Rome ; but, my Lords, I must declare and avow, that in the master states of the world, I know not the people or the senate, who, in such a complication of difficult circumstances, can stand in preference to the delegates of *America*, assembled in general Congress at *Philadelphia*. I trust, it is obvious to your lordships, that all attempts to impose servitude upon such men, to establish despotism over such a mighty continental nation, must be vain.”

In the second Continental Congress, Mr. Dickinson’s part was no less conspicuous, and to him was assigned the duty which he performed of preparing the *Second Petition to the King* and *A Declaration by the Representatives of the United Colonies of North America, now met in Congress at Philadelphia, setting forth the Causes and Necessity of their taking up Arms.*\*

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\* William Jay, the son and biographer of John Jay, claimed for his father, that the second Petition to the King “ originated with him, and was carried by him against a very strong opposition in Congress. The petition from the last Congress had been treated with insulting neglect, and it was now contended that to petition a second time would be inconsistent with self respect ; and although no regard would probably be paid to the petition, yet it would tend to excite fallacious hopes of an accommodation, and consequently to postpone the necessary preparations for a contest that was now inevitable. Mr. Jay, however, maintained that if the people were called to take up arms against their sovereign, they ought to be persuaded that such a measure was unavoidable ; and should it be found necessary hereafter for the Colonies to separate from Britain, the conviction that no proper efforts to prevent such an event had been omitted,

*Mr. Jay's Account  
of the Petition to  
the King.*

As it is the chief purpose at this time to vindicate the claim of Mr. Dickinson to the sole authorship of the lat-

would reconcile the consciences of many to a course of conduct which would otherwise be inconsistent with their oaths of allegiance. The arguments of Mr. Jay prevailed; and a committee, including himself, was appointed to draught the petition. Mr. Dickinson, one of the committee, wrote the petition. It was ably drawn, and well calculated to allay the resentment which the late proceedings in Congress were likely to excite in those who entertained exalted opinions of the royal prerogative. The petition was loyal and respectful, and represented the people of America as desirous only to preserve their own rights, and not seeking to invade those of the King and Parliament.

All the advantages anticipated by Mr. Jay from this measure, were fully realized; and he was accustomed to speak of the auspicious influence it exercised on the American Revolution. The rejection of the petition left no other alternative than submission or resistance, and numbers acquiesced in the Declaration of Independence the ensuing year, as an act of necessity, who would have questioned its lawfulness had not the experiment of accommodation been fairly and fully made." *Life of John Jay* : i. 36-37.

"A Declaration was deemed necessary to justify the Americans in taking up arms. D. who still retained a fond hope of reconciliation with Great Britain, was strenuous for trying the effects of another Petition to the King, and *Charles Thomson's Account of the being warmly seconded the measure was agreed to and D. had a considerable hand in drawing up both the Petition and the Declaration*, which were both sent at the same time to England. The subject of the Petition, as well as the Declaration, occasioned long and warm debates in Congress, in which D. took a distinguished part, which was circulated about in whispers to his disadvantage. However he maintained his ground among the generality of the people in his own Province and particularly among those who still wished and hoped to see a Reconciliation take place, and it must be allowed that if his judgment had not quite approved the measure, yet on account of the people of Pennsylvania, it was both prudent and politic to adopt it. Without making an experiment, it would have been impossible ever to have persuaded the bulk of Pennsylvania, but that an humble Petition drawn up without those clauses against which the Ministers and Parliament of Great Britain took exceptions in the former Petition, would have met with a favourable reception, and produced the desired effect. But this Petition, which was drawn up in the most submissive and unexceptionable terms, meeting with the same fate as others, obviated objections that would have been raised, and had a powerful effect in suppressing opposition, preserving unanimity, and bringing the Province in a united body into the contest. Whatever hand, therefore, D. had in promoting it ought to have redounded to his credit as a politician." *MS. pp. 13-14. N. Y. H. S. Coll. 1878: pp. 284-5. Penn. Mag. ii. 422-23.*

With respect to these papers (of the Second Continental Congress) the writer of the Annual Register before quoted expresses himself in terms of high praise: "All these were drawn up in a very masterly manner; and are, in respect to art, address, and execution, equal to any public declarations made by any powers upon the greatest occasions." *Annual Reg. 1775: p. \*140.*

ter paper, I will hasten to complete this imperfect sketch of his career—and return to that part of my subject in conclusion.

For a time his influence in Congress is said to have been unbounded, to such an extent indeed was this impression carried that the English considered him “the ruler of America.”

But this splendid career of popularity was not without interruption—and Dickinson was compelled to submit to the severe discipline of public reproach and obloquy for what was unquestionably one of the most courageous and conscientious acts of his whole life; an example, indeed, of moral courage of which there are but few conspicuous instances in all our history. The only parallels I have seen noted are the determination of Washington to sustain Jay’s Treaty and that of John Adams (the great enemy of Dickinson) to make a Treaty with France in 1799. *Hildreth.*

Shakespeare, in one of those marvellous sonnets to which all our hearts are opened at some time, has told us that

“ The painful warrior, famouséd for fight,  
After a thousand victories, once foiled,  
Is from the books of honour razéd quite,  
And all the rest forgot for which he toiled.”

Dickinson spoke and voted against the Declaration of Independence in July, 1776, on the ground that at the time such a measure was premature. He acknowledged the right and authority of Congress to make it, and the justice of making it—but he disputed the *policy* of making it *then*.

He knew, and in the great speech he made on that occasion he told the Congress that he was acting an un-

popular part in the debate upon the Declaration, and, conscious of the sincere purity of his motives, he called upon that illustrious assembly to witness the *integrity*, if not the *policy*, of his conduct.

His arguments were most powerful, although they did not prevail; and they were singularly confirmed in many instances by subsequent events. The whole speech was one of characteristic patriotism and ability; and his peroration, after having summed up the particulars of preparation for independence which he regarded as necessary to insure a successful issue—was worthy of the occasion:

“Upon the whole, when things shall thus be deliberately rendered firm at home, and favorable abroad, “then let AMERICA—

“Attollens humeris FAMAM, et FATA nepotum

“Bearing aloft the glory and the destinies of her children—advance with majestic steps and assume her station among the sovereigns of the world.” *See Appendix: ii.*

It was not until the 2d of August that the Declaration of Independence was signed by the members. It was then signed by the members present on that day, including the new members who had taken their seats since the 4th of July. But such of the old members as had left Congress before the 2d of August, and did not return before the end of the year, could not sign it.

This will explain why Mr. Dickinson’s name is not found among the signers of the Declaration. He was not in Congress on the 2d of August, 1776, nor afterwards in that year. But, because his name is not there, it is by no means to be inferred that he was in the slightest degree disaffected to the cause. Robert

Morris also, like Dickinson, opposed Independence on the ground that such action was premature. He opposed the resolution in debate, and voted against it when the question was taken on the 2d of July, but both, when the decision was made, acquiesced in the measure, and gave it their earnest, firm, and cordial support. Before the middle of July Mr. Dickinson marched, with the regiment he commanded, to Elizabeth Town, in New Jersey, where he remained until they were discharged in the following September. In the mean time, a new delegation was chosen by the Pennsylvania Convention, in which Mr. Morris was retained, but Mr. Dickinson was not rechosen. On the 2d of August, therefore, Robert Morris was in the Congress, and signed the Declaration ; but John Dickinson, who was then not a member, could not sign it.

He was at that time, in the field, giving the most absolute proof possible of his devotion to the *independence* of America when once it became the *resolution* of America. He did not hesitate to accept the fact that his reasons against it that were proper in a *debate* were useless after a *decision* and his prompt acquiescence evinces still more clearly that they opposed only the *time of the Declaration* and not *independence* itself.

I am fortunately able to quote his own words on these topics : "I spoke my sentiments freely, as an honest man ought to do, yet, when a determination was made upon the question against my opinion, I received that determination as the sacred voice of my country, as a voice that proclaimed her destiny, in which, by every impulse of my soul, I was resolved to share, and to stand or fall with her in that plan of freedom which she had chosen. From that moment, it became my deter-

mination ; and I cheerfully contributed my endeavours for its perpetual establishment."

These are the words of his defence against his traducers in 1783, in Congress and the Army, as well as the home-guard of Pennsylvania : whose noisy abuse justified him in the additional reminder—I will still quote his own words :

" Within a few days after the Declaration of Independence, I was the only Member of Congress that marched with my regiment to Elizabeth-Town against our enemies, then invading the State of *New York*, and continued in actual service there, daily in sight of them, every moment exposed, and frequently expecting upon intelligence received to be attacked—during the whole tour of duty performed by the militia of this city and neighborhood."

These were the tokens of his patriotism, the proofs that it was genuine, and that he was not of any faction in the coming republic. And thus from the time that Independence was declared, and seemed to be the wish of the majority of the people—he not only desisted from opposition, but encouraged every effort and sacrifice for the consummation of the design. He soon recovered his seat in Congress, being chosen by every vote of both branches of the Legislature a delegate from Delaware in 1779, and the ardent and resolute Address of Congress to the several States, in May of that year, which he wrote and reported—furnishes ample evidence of the tone of his republicanism, and the patriotic fire of his genius. It was, indeed, as described by our late honored associate Mr. Verplanck, "a memorable and eloquent state paper."

He passed into executive office as President of the States of Delaware and Pennsylvania successively, being

chosen unanimously by the two houses in a full session in Delaware in 1781, and triumphantly in the face of a violent and personally abusive opposition—to which I have already referred—in Pennsylvania in 1782.\*

In his capacity of President of the Supreme Executive Council he became the chief of the High Court of Errors and Appeals of Pennsylvania—a tribunal established by (*Chap. 144*) *Law of 1780*—in which besides the President, there were the Judges of the Supreme Court, the Judge of the Admiralty for the time being, together with three other persons appointed and commissioned for seven years.

In 1784–5, shortly after the declaration of our independence had been confirmed by a triumphant peace, the occasion came for the first time to decide a question of the law of nations against the consent of British authorities. It was upon the points of Prize and Admiralty Jurisdiction, in the High Court of Errors and Appeals of Pennsylvania, during the September session of 1784.

The case had been ably argued on several days, and at an adjourned session, held the 14th of January, 1785, the President [Dickinson] delivered the resolution of the Court:

“ . . . *Are we then, because in England they call the Admiralty Court a Prize Court when it acts in a cause of prize, and it then proceeds in a different*

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\* THE PENNSYLVANIA PACKET: No. 960, November 7, 1782, contains President Dickinson's Message to the General Assembly of Delaware, October 29, 1782—followed by a notice to the Freemen of Pennsylvania, &c.

“ Mr. Dickinson has in letters to each of the printers requested them to publish nothing in his favour and everything that should be offered against him, until the election of a President of the State was over, thereby discovering a consciousness in his own integrity, and a noble disinterestedness with respect to the first office in the State.”

He was chosen President (by Council and Assembly) and proclaimed, etc. Thursday, November 7, 1782.

manner, with an appeal to Commissioners of the Privy Council, to reject the ‘universal and immemorial’ compact of mankind? There was a time—when we listened to the language of her senates and her courts, with a partiality of veneration, as to oracles. It is past—we have assumed our station among the powers of the earth, and must attend to the voice of nations—the sentiments of the Society into which we have entered.” *Dallas*: i. 106.

His services were also conspicuous in Congress as an early participator and great agent in forming the Confederation in its first and best character. Mr. Bancroft, who has by no means come up to my idea of justice to Dickinson, although he speaks of “the venerated name of Dickinson,” characterizes him as “a principal author of the articles of confederation.” He was so, but he was not at all blinded to its defects—witness *his own* words—“our first federal constitution partook largely of the dissociating ingredients, that were too redundant among us. It was pregnant with disorders.” *Works*, ii. 169.

In the movements toward a better government he was active and influential. He was a Commissioner to the Convention at Annapolis in 1786,\* in which he was made chairman by an unanimous vote—and he took an important part in the labors of the Convention which framed the Constitution of the United States—in Mr. Bancroft’s

\* The Convention assembled for the purpose of devising and reporting the means of enabling Congress to provide effectually for the commercial interests of the U. S. In 1803, Mr. Dickinson wrote to Mr. Jefferson :

“ My dear Friend :

“ Having lately found among my papers, the original documents relating to the Convention that met at Annapolis in the year 1786, I think it my duty to transmit them to the Executive of the Union, and therefore I now send them.

“ Wilmington

“ the 20th of the 12th month, 1803.

“ I am entirely thy Friend,

“ John Dickinson.”

eloquent words—"the most cheering act in the political history of mankind, when thirteen republics, of which at least three reached from the sea to the Mississippi, formed themselves into one federal commonwealth."

*See Appendix : iii.*

In 1788, being alarmed by the hesitation of some states to ratify that instrument, he wrote and published in its favor, nine very able letters over the signature of Fabius.

He used the same signature in fourteen letters which he issued in 1797—the object of which was to persuade the United States into a "cordial amity" with France. He cherished throughout all his later years a deep and grateful remembrance of the aid of Louis XVI, extended to the United States in their extremity, and his apostrophe to the shade of the murdered king in one of these letters is full of the most tender, touching and classic beauty.

Our late honored associate, Mr. Verplanck, in an address before this Society in 1818, said that these letters "were in the United States what Mackintosh's *Vindiciæ Gallicæ* was in England, not equal indeed in magnificence of language, but little inferior in elegance and in ability, or in exuberance of thought and knowledge."

In 1792, Mr. Dickinson was a member of the Convention which formed the Constitution of Delaware.

The question of authorship of the Declaration on taking up Arms in 1775, to which I propose to devote the remainder of my time on this occasion, is not a very complicated one. There is but one adverse claimant and his pretence is only to a part of the work. But his reputation is of the highest, and the part he claimed was that which was said to be the best.

I propose to settle this question now and here. If

any further defence should be needed, I will defend against all comers the absolute, sole and undivided right of John Dickinson to that “imperishable trophy of his pen”—the original draft of which in his own handwriting I hold in my hand and shall further exhibit hereafter.

So far as I have been able to learn or discover, his immediate contemporaries had uniformly ascribed it to him, until the appearance of the claim to which I have referred—made long after his death.

In the year 1801, two octavo volumes of Mr. Dickinson's Political Writings were published in Wilmington with his approbation and consent.

The Declaration on taking up Arms was included among these writings: and this justly established the opinion generally received among the contemporaries of the author.\*

This is not all. In the second volume of Chief Justice Marshall's Life of Washington, he stated that the original composition of the First Petition to the King had been generally attributed to Mr. Lee. This volume appeared in 1804—three years after the publication of Mr. Dickinson's writings in Wilmington.

Mr. Dickinson was one of the subscribers to the work of the Chief Justice; and was surprised and hurt to find such a reflection cast upon his character: which he regarded as a very severe one. His own language, in a letter on the subject, written the 15th of the 9th month, 1804, gives the best view of the matter:—He says:

“The severity of the reflection [of the Chief Justice]

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\* In the second volume, the statement is expressly made that the “Address to the Inhabitants of Quebec—the First Petition to the King—the Declaration to the Armies—the Second Petition to the King—and the Address to the several States, extracted from the Journals of Congress, have always been ascribed to the pen of Mr. Dickinson.” *Vol. ii.*, page 1.

arises from this circumstance. In the year 1800, two young printers applied to me, for my consent to publish my political writings, from which they expected to derive some emolument. I gave my consent, and in the following year they published in their place two octavo volumes, *as my political writings*.

“ This publication being made in the town where I reside, no person of understanding can doubt that I must be acquainted with the contents. Of course, I must be guilty of the greatest baseness, if, for my credit, I knowingly permitted writings which I had not composed to be publicly imputed to me, without a positive and public contradiction of the imputation. This contradiction I never have made, and never shall make, conscious as I am, that *every one of those writings was composed by me*.

“ The question whether I wrote the first petition to the King, is of little moment, but the question, whether I have countenanced an opinion that I did write it, though in reality I did not, is to me of vast importance.”

Chief Justice Marshall promptly corrected the error into which he had fallen, and gave the correction a conspicuous place in his fourth volume. It is an interesting note, and I will read it:—

“ In detailing the early proceedings of the American Congress, the opinion was given that the petition to the King was written by Mr. Lee. Justice requires the declaration that this eloquent composition was the work of Mr. Dickinson.

“ The original petition reported by Mr. Lee did not manifest sufficiently that spirit of conciliation which then animated Congress, and was therefore disapproved. Mr. Dickinson was added to the committee, and drew the petition which was adopted.”

We have thus the positive statement of Mr. Dickinson that the Declaration on taking up Arms in 1775, like all the other papers included in the publication of his political writings, was composed by him. We find no other claimant for it or any part of it, during his lifetime. And he had rested with his life's best companion in the quiet Friends' burying ground in Wilmington for nearly a quarter of a century before the first and probably last and only interference with his title began to be bruited abroad.

In 1829, the Memoirs, Correspondence and Private Papers of Thomas Jefferson, were first published from the original MSS. under the editorial supervision of his nephew, the late Thomas Jefferson Randolph. The Memoir, contained in the first volume, gives circumstantial notices of his earliest life; and is continued to his arrival in New York, in March, 1790, when he entered on the duties of Secretary of State, under Washington. Its first sentence indicates the time and circumstances in which it was written.

"JANUARY 6, 1821. At the age of seventy-seven, I begin to make some memoranda, and state some recollections of dates and facts concerning myself, for my own more ready reference, and for the information of my family."

Mr. Jefferson's life and career are too familiar to need any recapitulation here of the events which preceded his entry into Congress, in which he was destined to hold so conspicuous a place. I shall therefore have occasion to quote those passages only from his autobiography which record his entrance there and happen to be those which chiefly concern the subject and the object of the present paper. Mr. Jefferson says:

"I took my seat with them on the 21st of June. On

the 24th, a committee which had been appointed to prepare a declaration of the causes of taking up arms, brought in their report (drawn I believe by J. Rutledge) which, not being liked, the House recommitted it on the 26th, and added Mr. Dickinson and myself to the committee. . . . *I prepared a draught of the Declaration committed to us.\* It was too strong for Mr. Dickinson.* He still retained the hope of reconciliation with the mother country, and was unwilling it should be lessened by offensive statements. He was so honest a man, and so able a one, that he was greatly indulged even by those who could not feel his scruples. We therefore requested him to take the paper, and put it into a form he could approve. *He did so, preparing an entire new statement, and preserving of the former only the LAST FOUR PARAGRAPHS AND HALF OF THE PRECEDING ONE.* We approved and reported it to Congress, who accepted it."

Such is Mr. Jefferson's own account of his share in the composition of the Declaration of 1775.

Mr. Tucker, in his Life of Jefferson, published in 1837, a few years later, reasserts the claim thus made in the Autobiography, and quotes entire "the part furnished by Mr. Jefferson" . . . "as a specimen of his sentiments and diction at the time." He states as a fact, derived from anecdotes related in the same autobiography, that the pride of authorship relative to the several public addresses which emanated from that body, mingled with their grave and momentous deliberations."

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\* It would be an interesting feature of this discussion, if a comparison could be made between the draft which Mr. Jefferson says he prepared, too strong for Mr. Dickinson, and the stirring periods of the document we have! Certainly nothing which Mr. Jefferson had written before that time has anything like the tone and ring of this Declaration, and I do not think it can ever suffer in any just comparison with the much more famous Declaration of Independence a year later.

Mr. Tucker does not fail to call attention to the fact that the portion claimed by Jefferson is "precisely that part of Mr. Dickinson's paper which annalists have commonly quoted," and adds—"It probably owes this distinction not wholly to its intrinsic superiority, but in part also to its harmonizing better with the issue of the contest."

Mr. Jefferson's reputation as a writer, which is said to have preceded him in the Congress, was that of the author of "A Summary View of the Rights of British America"—the proposed instructions to the Virginia delegates in 1774. It must have been not a little enlarged by his answer to the conciliatory propositions of Lord North presented by Lord Dunmore to the Virginia Assembly in June, 1775,—which as the result of their action he brought with him to Philadelphia.

I think no one will question the opinion that the dictation of this document is altogether different and manifestly inferior to the Declaration. It was reported to the House on the 12th of June, and was adopted "with a few softening touches."

In this paper the Burgesses, after professing their wish for a reconciliation with the mother country, as, next to the profession of liberty, "the greatest of all human blessings," declare, that they cannot accept the proffered terms, and refer the subject to the General Congress then sitting. They conclude in the following animated strain:

"For ourselves, we have exhausted every mode of application which our invention could suggest, as proper and promising. We have devoutly remonstrated with Parliament; they have added new injuries to the old. We have wearied our King with supplications; he has not deigned to answer us. We have appealed to the

native honor and justice of the British Nation ; their efforts in our favor have hitherto been ineffectual. What then remains to be done ? That we commit our injuries to the even-handed justice of that Being who doth no wrong, earnestly beseeching him to illuminate the Councils, and prosper the endeavors of those to whom America hath confided her hopes ; that through their wise direction we may again see reunited the blessings of liberty and property, and the most permanent harmony with Great Britain."

Neither this document, nor the still more important amplification of it which Mr. Jefferson wrote in the following month indicates any of those unmistakable features in common with the concluding paragraphs of the Declaration of 1775—the family resemblance which might stamp them as the offspring of the same parent.

As we read them in order, even if we could recognize the step of the march as taken in similar time, the changes seem like those of the military parades with which we are all familiar, in which the monotonous though noisy drums and fifes fill up the intervals of far grander music.

A later biographer of Mr. Jefferson, enlarges on this theme with much greater enthusiasm, but no more knowledge :—He says of his idol—

“ He had not a particle of the vanity of authorship, of being at the head of committees, or of bearing the name of leadership. In three cases out of four, where, in his various writings, he mentions his participation in the action of any celebrated committee of which he was really chairman, he places his name last—and this, oftentimes, in instances where it is not easy to find the records which assign him his true position. We scarcely recollect an example of a contrary kind, where a positive ef-

fort had not been made (not to leave the thing in a state of equality where he left it) but to directly take credit from him to give it to another. And his reclamations, then, were usually something of the latest, as in the instance just given in regard to the Address on the Causes of taking up Arms.

“That production was one of the most popular ones ever issued by Congress. It was read amid thundering huzzas in every market place, and amid fervent prayers in nearly every pulpit in the Colonies. The commanders read it at the head of our armies.\* On the heights of Dorchester (we think it was) amid booming cannon and under the folds of the banner bearing the ever-green pine tree, and the sternly confident motto ‘Qui trans-tulit, sustinet,’ Putnam proclaimed it to the applauding yeomanry of New England under his command. It was quoted again and again admiringly in history. It will not probably be denied that this celebrated production owed most of its popularity to ‘the last four paragraphs and half of the preceding one.’ It would have been a very ordinary affair without these. This was the only part the admiring historians quoted. Yet ‘the youngest member but one in Congress’ never gave even a hint (we believe) of its authorship, *suffering all the reputation of it to rest with Mr. Dickinson, until he mentioned it in a paper (the Memoir) destined never to see the light until Mr. Dickinson and himself had gone down to the grave.* Of this, as of various other reclamations which he really owed to himself, he made no memoranda until he was seventy-seven years old, showing how little precaution he took, or anxiety he felt, on

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\* Bancroft: viii. 47. Declaration read “on Prospect Hill amidst such shouts that the British on Bunker Hill put themselves in array for battle” on the 18th July, 1775.

the subject. And many of them, like this, seem rather accidentally or incidentally made in his simple narration of facts, than set down for any special purpose. It may be truly said, and the remark is thrown out here somewhat in advance—that the reader may make it a standard to try Mr. Jefferson by on all occasions—that a conspicuous public man more utterly destitute of vanity than he was, never existed. . . .” *Randall*: vol. ii., 114-116.

Such is Mr. Randall’s estimate of what he elsewhere describes as “the first purely popular address prepared by Mr. Jefferson,” and that gentleman’s self-denying modesty. It is hardly necessary to add Mr. Parton’s vivacious and lively periods on this topic. He improves on all his predecessors, and illuminates for the moment by his brilliant persiflage the shadows he aims to deepen over any part which Mr. Dickinson or anybody else but Mr. Jefferson might, could, would or should claim, in the Declaration of 1775.

Here, permit me to pause a moment and return to Mr. Jefferson’s memoranda—in which his story of the Declaration is supplemented by a still more extraordinary account of the second Petition to the King, of which, it will be noticed, he does not claim any share in the composition. I must ask your close attention to every word of this studied depreciation of Mr. Dickinson and its dramatic finish in the final anecdote.

“Congress gave a signal proof of their indulgence to Mr. Dickinson, and of their great desire not to go too fast for any respectable part of our body, in permitting him to draw their second petition to the King according to his own ideas, and passing it with scarcely any amendment. The disgust against its humility was general, and Mr. Dickinson’s delight at its passage was the only

circumstance which reconciled them to it. The vote being passed, although further observation on it was out of order, he could not refrain from rising and expressing his satisfaction, and concluded by saying, 'there is but one word, Mr. President, in the paper which I disapprove, and that is the word *Congress* ;' on which Ben Harrison rose and said, 'there is but one word in the paper, Mr. President, of which I approve, and that is the word *Congress*.'"

The official record of proceedings on this subject is as follows :

On the 3d June, 1775, it was resolved that a committee of five be appointed to draught a petition to the King—and when the Congress proceeded to the choice, which was by ballot, the following gentlemen were elected :

MR. DICKINSON  
" JOHNSON  
" J. RUTLEDGE  
" JAY AND  
" FRANKLIN.

On the 19th June, the Committee appointed to prepare a petition to the King, reported a draught of one, which was read.\*

On the 4th July, the petition to the king being again read, after some debate, the further consideration of it was deferred till the next day, when Congress resumed its consideration and being debated by paragraphs, was agreed to, and ordered to be engrossed.

On the 8th July, having been engrossed, it was compared at the table and signed by the members present.

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\* Washington was appointed Commander in chief, on the 15th of June, 1775.

It must not be forgotten that this paper which Mr. Jefferson would have us believe was reluctantly and barely tolerated by an impatient Congress was drawn by the same hand and under consideration at the same time with the Declaration,\* a share in whose composition is claimed by Mr. Jefferson himself. He emphasizes the contrast between the general disgust at the humility of the one and the universal admiration of the other by his picture of the delight of Mr. Dickinson—but the absurdity of his narrative reaches its climax in the anecdote about the word *Congress*.

That word appears but once in the entire document; in the opening sentence, which is precisely similar, indeed in almost the identical words of the first petition. Nobody can read the document itself and believe for one moment that either Mr. Dickinson or Mr. Harrison could by any possibility have wasted their breath in such empty talk on *any* occasion, much less in a scene of such momentous interest to themselves and their country.

Yet ridiculous as it must appear to any well ordered intellect, after a moment's attention, this worthless tale has been embalmed in some of the most carefully written periods of our ablest historians—like a dead fly in the precious ointment of the apothecary. They seem to have thought the word “*Congress*” a word to charm with—a word of mysterious power and significance—in-

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\* “As to matters of fact, the Proclamation; which you ascribe to General Washington upon his first taking the command of the Army, was drawn up by Congress. The consideration of it proceeded *pari passu* with the Petition to the King, and was passed by Congress while the Petition was engrossing. The truth is there was a *considerable opposition* to the sending *another petition* considering the manner in which the former had been treated. But *several members were warm in favour of it*. The matter was compromised, and the petition and declaration were both ordered and passed in a manner together.” *C.T. to D. Ramsay. New York: Nov. 4, 1786. Coll. N. Y. H. S. 1878: pp. 215-16.*

stead of a harmless necessary word of description in that place, and one absolutely colorless and void of offence. It would hopelessly puzzle the most diligent critic to find anything hidden in that simple combination of eight letters of the alphabet, where it is used in that document.

If any man can discover any good honest reason why Mr. Jefferson wrote such a story in his autobiography—he will render a seasonable and important service to the much exalted reputation of its author.

Mr. Jefferson himself has furnished a formula for stating with due respect any doubts of the accuracy of his recollections. Referring to a letter of Governor McKean, written in July, 1807, on the circumstances attending the Declaration of Independence, he says, that the Governor, “trusting to his memory chiefly, at an age when our memories are not to be trusted, has confounded two questions and ascribed proceedings to one which belonged to the other.” \*

Now Governor McKean had then reached his seventy-third year. Mr. Jefferson’s Memoirs were begun, as he has himself told us, at the age of seventy-seven. To complete them, he seems to have not only trusted his memory but taxed his invention.

I have quoted the performances of Mr. Jefferson’s

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\* In a letter to Madison, Aug. 30, 1823, Mr. Jefferson says: “Mr. Adams’s memory has led him into unquestionable error. At the age of eighty-eight and forty-seven years after the transactions . . . this is not wonderful. Nor should I, at the age of eighty, on the small advantage of that difference only, venture to oppose my memory to his, were it not supported by written notes, taken by myself at the moment, and on the spot.” *Works*: vii. 304.

In a letter to Mr. Wirt (Aug. 5, 1815), he says of the same period: “the transaction is too distant, and my memory too indistinct to hazard as with precision even what I think I heard from them [other contemporaries]. In this decay of memory, Mr. Edmund Randolph must have suffered at a much earlier period of life than myself.” *Works*: vi. 486.

biographers, who have adopted his statements without any hesitation. It is needless to multiply examples of the facility with which the pen of the ready writer contributes to the currency of errors of fact, which become inveterate by repetition.

“Addictus jurare in verba magistri,” if not the motto, describes the active principle, of the great mass of hasty, careless, indifferent, and uncritical writers of what they or their publishers call history.

But these are not all. The greatest is behind—for the honored name of Mr. Bancroft must be cited as having accepted without criticism these statements of Mr. Jefferson. That great historian, whose work is at once the monument of his own fame and that of his country, is not to be mentioned here or by me without becoming reverence. The patriarch of American Letters, he has just added to the permanent literature of the world two volumes on the History of the Formation of the Federal Constitution which will doubtless increase his exalted reputation. His reference in the beginning of his last volume, to his old and his new friends is touching in its pathetic interest: “Scarcely one who wished me good speed when I first essayed to trace the history of America remains to greet me with a welcome as I near the goal. Deeply grateful as I am for the friends who rise up to gladden my old age, their encouragement must renew my grief for those who have gone before me.”

At an age when most men seek repose and rest on their laurels, he is challenging new labors, and achieving new triumphs. Yet, Homer sometimes nods, and although accustomed to deal with every form of the materials of history, with a keenness of critical faculty and skill unrivalled, yes, unapproached by any of his fellows—in this case, Mr. Bancroft seems to have been over-

powered in the presence of the great chief of American Democracy. He could not question the authority of Thomas Jefferson.

We have then Mr. Dickinson's positive statement that he was the author of the document. Mr. Jefferson himself confirms it as to all but the "last four paragraphs and half of the preceding one."

*The original manuscript draft, to which I now call the attention of the Society, proves that the author of any part was the author of every part—that there was but one hand in the work, and that the hand of John Dickinson.*

I am well aware of the danger of attempting to determine the authorship of a paper, intended for the public, from the handwriting in which the manuscript appears—unless the proofs are patent that it came from the hand of him whose thoughts and expressions it records. In this case there is no room whatever for doubt. The suggestion of imitation or forgery is excluded. No person but the author himself ever had any hand in the preparation of this document. It is in the handwriting of John Dickinson, and these corrections, additions, interlineations, revisions, in number, extent, position and character, forbid the supposition that he copied any portion of this paper from a draft by Mr. Jefferson, or any other person. It is the original first draft of the whole, and the proof of it is in no portion of the whole more conspicuous and certain than in the "last four paragraphs and half of the preceding one" claimed as his own by Mr. Jefferson—in his old age—and accorded to him without doubt or hesitation ever since.

For the use of original papers for comparison which enabled me to determine positively the fact of authorship by identifying the handwriting of this document,

and its author's method of composition, I was indebted to the late Dr. John Dickinson Logan of Baltimore, who became interested in my purpose, and was gratified by the results of my examination. Had he lived to this day, he would have been still more gratified by the knowledge that I should have this opportunity to present them to the New York Historical Society.

His kindness and confidence enabled me to place side by side with these sheets—the similar drafts of one of the Petitions to the King, and the Address to the Inhabitants of Quebec, dated October 26th, 1774, all indicating the same methods of composition and all unquestionably in the same handwriting. I have had ample opportunity to acquire the knowledge of an expert in these and similar examinations, and I have no hesitation in speaking positively, and without fear of cavil or contradiction from anyone who is qualified to give an opinion in the case. My position cannot be successfully assailed. I am sure of it.

And now my task is ended—my purpose is accomplished. Permit me however to say that I will not disguise the pleasure I have felt in paying such tribute as I could to the memory of John Dickinson—the grand old Quaker Farmer on the Delaware !

Some of us are able to remember men who served in the American Army of the Revolution—men who knew the great leader of that army, or survived him long enough to make even the fact that they had seen him a mark of distinction—the relics of those regiments whose patience and fortitude and perseverance and devotion to the cause of their country had won the name and the fame of the Patriot Army. We recall their appearance with reverence and affection—and we shall not willingly forget their memories. They emphasized to us in our

youth, the story of that struggle through which the United States came to take a place in the family of nations—and as our children study the pages of the history of that far-off time, and we recognize the glow of their young hearts with patriotic pride in their country and the thrilling record of its heroic age—we pray that the day may never come again for tears or sorrow to interrupt or mingle with the recollections of that nobler time past. In the bright and glorious morning of life—while the purple light of youth fills the whole atmosphere of existence, it is fitting that the grand images of the Fathers of the Republic should pass in historic array along the high places of remembrance into the Parthenon of History—the perpetual procession of the Pan-Athenaic Festival of Memory. But let there be no heathen worship of idols! only the great ideals of Truth and Justice—consecrated in all hearts by the historic muse! And let the memorials of those days be carefully preserved, that the record may be pure and complete!

We revere the memories of the men of that day, all long past into history. Is not something of the same reverence which we would pay to them, if they were here, due to these papers, these mute witnesses that testify without fear or favor; and, frail and imperfect as they are, become monuments of genius and patriotism—vindicating themselves and their authors from misrepresentation, as they silently tell their story without possibility of successful contradiction?

## APPENDIX.

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### I.—THE LIBERTY SONG.

*A Song now much in Vogue in North America.*

THE intimacy between Mr. Dickinson and James Otis, of Massachusetts, has been mentioned in the text. Two letters of the former, printed by the biographer of the latter, have preserved the history of Mr. Dickinson's song.

“Philadelphia, July 4, 1768.

“Dear Sir,—I inclose you a song for American freedom. I have long since renounced poetry. But as indifferent songs are frequently very powerful on certain occasions, I venture to invoke the deserted muses, I hope that my good intentions will procure pardon with those I wish to please for the baldness of my numbers.

“My worthy friend, Dr. Arthur Lee, a gentleman of distinguished family, abilities, and patriotism, in Virginia, composed eight lines of it.

“Cardinal de Retz always inforced his political operations by songs. I wish our attempt may be useful. I shall be glad to hear from you, if you have a moment's leisure to scribble a line to, dear sir, your most affectionate, most obedient servant,

“JOHN DICKINSON.”

A few days later Mr. Dickinson sent an amended copy with the following letter.

“Dear Sir,

I inclosed to you the other day the copy of a song composed in great haste, I think it was rather too bald, I now send a corrected copy, which I like better. If you think the bagatelle worth pub-

lishing, I beg it may be this copy. If the first is published before this comes to hand, I shall be much obliged to you if you will be so good as to publish this with some little note, "that this is a true copy of the original."

In this copy I think it may be well enough to add between the fourth and fifth stanzas, these lines :

How sweet are the labours that freemen endure,  
That they shall enjoy all the profits secure.  
No more such sweet labours *Americans* know,  
If *Britons* shall reap what *Americans* sow.  
In freedom we're born, &c.

I am, dear sir, with the utmost sincerity, your most affectionate and most humble servant,

JOHN DICKINSON.

HON. JAMES OTIS.  
*Philadelphia, July 6th, 1768.*"

The song appeared in the *Pennsylvania Gazette*, No. 206, July 7th, 1768, signed "D.," and also in the *Boston Gazette and Country Journal*, No. 694, July 18th, 1768. The corrected version was printed in the *Pennsylvania Chronicle*, July 11th, 1768.

A SONG NOW MUCH IN VOGUE IN NORTH AMERICA.

Tune, *Heart of Oak*.

Come join hand in hand, brave AMERICANS all,  
And rouse your bold hearts at fair LIBERTY'S call :  
No tyrannous acts shall suppress your just claim,  
Or stain with dishonour AMERICA's name.

In FREEDOM we're born, and in freedom we'll live  
Our purses are ready,  
Steady, friends, steady,  
Not as SLAVES, but as FREEMEN, our money we'll give.

Our worthy forefathers, let's give 'em a cheer,  
To climates unknown did courageously steer ;  
Thro' oceans to deserts for freedom they came,  
And dying bequeathed us their freedom and fame.

Chorus.

Their generous bosoms all dangers despis'd,  
So *highly*, so *wisely*, their *birthrights* they priz'd  
We'll keep what they gave,—we will piously keep,  
Nor frustrate their toils on the land or the deep.

*Chorus.*

The *tree* their own hands had to liberty rear'd,  
They liv'd to behold growing strong and rever'd ;  
With transport they cried, “ now our wishes we gain,  
For our children shall gather the fruits of our pain.”

*Chorus.*

Swarms of *placemen*\* and *pensioners* soon will appear,  
Like locusts deforming the charms of the year ;  
Suns vainly will rise, showers vainly descend,  
If we are to *drudge* for what *others* shall *spend*.

*Chorus.*

Then join hand in hand, brave AMERICANS all,  
By *uniting* we stand, by *dividing* we fall,  
IN SO RIGHTEOUS A CAUSE let us hope to succeed,  
For heaven approves of each generous deed.

*Chorus.*

All ages shall speak with *amaze* and *applause*,  
Of the *courage* we'll shew in *support* of our *laws*  
To *die* we can *bear*,—but to *serve* we *disdain*,  
For *shame* is to *freemen* more dreadful than *pain*.

*Chorus.*

This bumper I crown for our *sovereign's* health,  
And this for *Britannia's* glory and wealth ;  
That wealth and that glory immortal may be,  
If *she* is but *just*, and if *we* are but *free*.

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\* The ministry have already begun to give away in *pensions*, the *money* they lately took out of our pockets, *without our consent*.

## II.—GOVERNOR DICKINSON'S DEFENCE IN 1782-3.

THE magnanimous and noble defence of Dickinson against his personal and political enemies ought to have been reprinted long ago. When he became a candidate for the office of President of the Supreme Executive Council of Pennsylvania, he wrote to the printers of Philadelphia, requesting them to publish every piece that should be offered against him, but nothing in his favor, thus defying beyond expression all the efforts of his enemies against him. After his triumphant election, he gave to the press an address to his opponents, which may challenge comparison as a master-piece of political polemics. The following extract relates to the charge that he opposed the Declaration of Independence in Congress.

[From the Pennsylvania Packet, or the General Advertiser,  
Tuesday, Dec. 31, 1782. Vol. xi. No. 983.]

The first charge, as it is made, I deny ; but I confess that I opposed the making the declaration of independence *at the time when it was made*. The right and authority of Congress to make it, the justice of making it, I acknowledged. The policy of *then* making it I disputed.

To render this charge criminal, it should be shewn that I was influenced by unworthy motives. It will not be enough to prove that I was mistaken ; so far from it, that if it appears I was actuated by a tender affection for my country, I know my country will excuse the honest error.

When that momentous affair was considered in Congress, I was a member of that honourable body for this State. I thereby became a *trustee* for *Pennsylvania* immediately, and in some measure for the rest of *America*. The business related to the happiness of millions then in existence, and of more millions who were unborn. I felt the duty, and endeavoured faithfully to discharge it.

Malice and envy must sigh and confess, that I was among the very first men on this continent, who by the open and decided steps we took staked our lives and fortunes on our country's cause. This was done at an *æra* of the greatest danger, as it was unknown how far we should be supported. In *this* point no re-

serve, no caution was used by me ; and, tho' marked out by peculiar circumstances for the resentment and vengeance of our enemies, if they had succeeded, I frankly pledged *my all* for her freedom.

Thus far I had a right to go, whatever I ventured, for I was risking only *my own*. But when I came to deliberate on a point of the last importance to you and my other fellow-citizens, and to your and their posterity, *then*, and not till then, I became guilty of reserve and caution—if it was guilt to be more concerned for you and them, than I had been for myself. For you and them I *freely* devoted myself to every hazard. For you and them I exerted *all my cares and labors*, that not one drop of blood should be unnecessarily drawn from *American* veins, nor one scene of misery needlessly introduced within *American* borders.

My first objection to making the declaration of independence, *at the time when it was made*, arose from this consideration. It was acknowledged in the debate, that the first campaign would be decisive as to the final event of the controversy. I insisted that the declaration would not strengthen us by one man, or by the least supply—on the contrary, it might be construed to manifest such an aversion on our part, as might inflame the calamities of the contest, and expose our soldiers and inhabitants in general to additional cruelties and outrages—We ought not, without some prelusive trials of our strength, to commit our country upon an alternative, where, to recede *would be infamy*—and to persist *might be destruction*.

No instance was recollected of a people, without a battle fought or an ally gained, abrogating for ever their connection with a great, rich, warlike, commercial empire, whose wealth or connections had always procured allies when wanted, and bringing the matter finally to a prosperous conclusion.

It was informing our enemies what was the ultimate object of our arms, which ought to be concealed until we had consulted other powers, and were better prepared for resistance.—It would soon confirm the charges of those in *Great Britain* who were most hostile to us, and too early contradict the defences made by those who were most friendly toward us—It might therefore unite the different parties there against us, without our gaining anything in counterbalance—And it might occasion disunion among ourselves, and thus weaken us.

With other powers, it might rather injure than avail us—There was a certain weight and dignity in such movements, when they appeared to be regulated by prudence, that would be lost, if they were attributed to the emotions of passion—If politicians should be induced to ascribe the measure to the violence of this dictator, we might be deprived in their judgment, of the merit of what they thought we had well done before, and of a just credit with them in future for our real force and fixed intentions—How such a judgment would operate, was obvious.

Foreign aid would\* not be obtained by the declaration, but by our actions in the field, which were the only evidences of our union and vigor, that would be respected,—and by the sentiments statesmen should form upon the relative consequences of the dispute. This opinion was confirmed by many similar instances, particularly in the war between *the United Provinces of the Low Countries* and *Spain*, in which *France* and *England* assisted the former, before they declared themselves independent, which they did not do till the *ninth* year of the war. If it was the interest of any *European* kingdom or state to aid us, we should be aided without such a declaration.—If it was not, we should not be aided with it.—On the sixth day of *July*, 1775, a year within two days before the declaration, Congress assured the people of *America* in an address, that,† “*Foreign assistance was Undoubtedly attainable.*” FACTS SUBSEQUENT TO THAT DATE, WITH WHICH EVERY MEMBER WAS ACQUAINTED, IT WAS NEEDLESS TO MENTION.

We ought to know the dispositions of the great powers, before such an irrevocable step should be taken; and, if they did not generally choose to interfere, how far they would permit any one or more of them to interfere. The erection of an Independent Empire on this continent was a phænomenon in the world—Its effects would be immense, and might vibrate round the globe—How they might affect, or be supposed to affect old establishments, was not ascertained—It was singularly disrespectful to *France*, to make the declaration before her sense was known, as we had sent an Agent expressly to enquire “whether such a declaration would be acceptable to her;” and we had reason to believe he was then arrived at the Court of *Versailles*—Such precipi-

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\* This was confirmed by the conduct of *France*.

† Journals of Congress, Vol. I. Page 147.

tation might be unsuitable to the circumstances of that kingdom, and inconvenient—The measure ought to be delayed, till the common interests should be in the best manner consulted, by common consent. Besides, the door to accommodation with *Great Britain* ought not to be shut, until we knew what terms could be obtained from some competent power—Thus to break with her, before we had compacted with another, was to make experiments on the lives and liberties of my countrymen, which I would sooner die than agree to make; at best, it was to throw us into the hands of some other power, and to lie at mercy; for we should have passed the river, that was never to be repassed—if treated with some regard, we might yet be obliged to receive a disagreeable law, tacked to a necessary aid. This was not the plan we should pursue. We ought to retain the declaration, and remain as much masters as possible of our own fame and fate—We ought to inform that power, that we were filled with a just detestation of our oppressors; that we were determined to cast off forever all subjection to them; to declare ourselves independent; and to support that declaration with our lives and fortunes—provided that power should approve the proceeding; would acknowledge our independence; and enter into a treaty with us upon equitable and advantageous conditions.

True it is, that we have happily succeeded, without observing these precautions; and let my enemies triumph in this concession, when they shall have produced an example from history to equal the justice, wisdom, benevolence, magnanimity and good faith, displayed by His Most Christian Majesty, in his conduct towards us. Till then, at least, let me be pardoned for having doubted—whether there was such a Monarch upon earth.

Other objections to making the declaration, *at the time when it was made*, were suggested by our internal circumstances. To me it seemed, that, in the nature of things, the formation of our governments, and an agreement upon the terms of our confederation, ought to precede the assumption of our station among Sovereigns. A sovereignty, composed of several distinct bodies of men, not subject to established constitutions, and those bodies not combined together by the sanction of any confirmed articles of union, was such a sovereignty as had never appeared. These particulars would not be unobserved by foreign kingdoms and states, and

they would wait for \* other proofs of political energy, before they would treat us with the desired attention.

With respect to ourselves, the consideration was still more serious.

The forming of our governments was a new and difficult work. They ought to be rendered as generally satisfactory to the people as possible. When this was done, and the people perceived that they and their posterity were to live under well-regulated constitutions, they would be encouraged to look forward to confederation and independence, as completing the noble system of their political happiness. The objects nearest to them were *now* enveloped in clouds, and therefore those more distant must appear confused. That they were independent, they would know; but the relation one citizen was to bear to another, and the connection one State was to have with another, they did not, could not know. Mankind were naturally attached to plans of government, that promised quiet and security under them. General satisfaction with them, when formed, would be indeed a great point attained; but persons of reflection would perhaps think it absolutely necessary, that Congress should institute some mode for preserving them from the misfortunes of future discord.

The confederation ought to be settled, before the declaration of independence.† Foreigners would think it most regular. The weaker states would not be in so much danger of having disadvantageous terms imposed upon them by the stronger. If the declaration was first made,‡ political necessities might urge on the acceptance of conditions, that were highly disagreeable to parts of the union. The present comparative circumstances of the states § were now tolerably well understood; but some states had very extraordinary claims to territory, that if admitted in a future confederation, as they might be, the terms of it not being yet adjusted, all idea of the present comparison between them would be confounded. Those states, whose boundaries were acknowledged, would find themselves sink in proportion to the ele-

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\* See this confessed in the *French* “OBSERVATIONS on the *justificative Memorial* of the Court of *London*.”

† This has been since proved, by *France* urging, as she has done, the completion of the Confederation.

‡ This has since actually happened.

§ The word “States” is used here as most familiar, tho’ not used in the debate.

vation of their neighbours. Besides, the unlocated lands, not comprehended within acknowledged boundaries, were deemed a fund sufficient to defray a vast part, if not the whole, of the expences of the war. These ought to be considered as the property of all the States, acquired by the arms of all. For these reasons, the boundaries of the States ought to be fixed before the declaration, and their respective rights mutually guarantied ; and the unlocated lands ought also, previous to that declaration, to be solemnly appropriated to the benefit of all the States : For it might be extremely difficult, if not impracticable, to obtain these decisions afterwards. Upon the whole, when things should be thus deliberately rendered firm at home, and favourable abroad, then let AMERICA

*“Attollens humeris FAMAM, et FATA nepotum,”*

advance with majestic steps, and assume her station among the sovereigns of the world.

Thus to have thought, and thus to have spoke, was my offence, Gentlemen, on the subject of independence. Do you condemn me for thinking as I did ? or for speaking as I thought ? Could the former be a crime ? and was not the latter a duty ? What title of infamy would have been adequate to my guilt, if, entertaining the sentiments I did, and entrusted as I was, any consideration could have prevailed upon me to suppress those sentiments on a point of such eventful moment to my country ? Was I by her placed in Congress, to re-echo the words of others, or to exercise my judgment, and obey my conscience, in deciding upon the common welfare ?

A powerful consideration was not wanting, to tempt me into a swerving from the rule ever prescribed to myself—that of regarding the general good with singleness of heart.

It was my misfortune to have acquired some share of reputation ; for the injuries done to my country had occasioned it. Her love I valued as I ought, but not as much as I valued herself. I knew, and told Congress, that I was acting an unpopular part in the debate upon the declaration ; and I desired that illustrious Assembly to witness the integrity, if not the policy, of my conduct.

What other motive can you suspect that I had for this behaviour ? Compare it with my preceding and following actions.

Tho' I spoke my sentiments freely, as an honest man ought to do, yet, when a determination was made upon the question against my opinion, I received that determination as the sacred voice of my country, as a voice that proclaimed her destiny, in which, by every impulse of my soul, I was resolved to share, and to stand or fall with her in that plan of freedom which she had chosen. From that moment, it became my determination; and I cheerfully contributed my endeavours for its perpetual establishment.

Have you forgot, gentlemen, this remarkable circumstance, that within a few days, to the best of my remembrance, within a week, *AFTER the Declaration of Independence*, I was the *only* Member of Congress that marched with my regiment to *Elizabeth-Town* against our enemies, then invading the State of *New York*, and continued in actual service there, daily in sight of them, every moment exposed, and frequently expecting upon intelligence received to be attacked, during the whole tour of duty performed by the militia of this city and neighbourhood?

Be pleased to decide, what was my motive for this conduct. Be pleased also to consider what is the reason, why none of your writers, in the multitude of their publications against me, have ever mentioned, or even given the least hint of this fact. Don't you really believe, that, if it was thought by them only a trifling circumstance in my favor, they would have taken some notice of it, and, with one of their witty turns, have consigned it over to contempt? Don't you really believe it was thought by them a strong proof of my devotion to the *independence of America*, when once it became the *resolution of America*—a proof which they wish never to be remembered in *Pennsylvania*—and a clear demonstration that all my arguments, concerning the *time* of making the declaration, were in my judgment and conscience done away, and were of no more use, *after it was made*, than the rubbish caused in erecting a palace? Reasons, that were proper in a *debate*, were useless after a *decision*; and the nature of these evinces that they opposed only the *time of the declaration*, and not *independence itself*.

The event has proved, that the national Council was right; and may others learn, by my instance, to venerate the wisdom collected in that body as they ought to do. There is a light in that constellation, sufficient to direct the vessel freighted with the fortunes of *America*, through the tempestuous ocean upon which she

now sails, safe into the wish'd for port—if the people will but be guided by it.

Is it an incredible thing with you, gentlemen, that a man might desire the declaration to be deferred, and yet heartily maintain it after it was made ! If so, what do you think of those men, who opposed the declaration in Congress as earnestly as I did, and now hold the highest posts under *The United States*, or some of them, are possessed of their utmost confidence, and discharge their respective duties with distinguished honor to themselves, and advantage to *America*? What do you think of numbers of brave officers in our army, who wished the declaration to be deferred, and yet, from the instant it was made, and ever since, have, under a load of difficulties, traversed different regions of this continent, freely to proffer their blood for its support ?

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### III.—JOHN DICKINSON IN THE FEDERAL CONVENTION OF 1787.

In his History of the United States, Mr. Bancroft stated that when the Articles of Confederation were first discussed in Congress, in July, 1776, the question being upon the seventeenth article, which provided that in determining questions, each colony should have one vote, Sherman of Connecticut said : “The vote should be taken two ways: call the Colonies, and call the individuals, and have a majority of both.” This idea he probably derived from Jefferson, who enforced in private as the means to save the Union, that “any proposition might be negatived by the representatives of a majority of the people, or of a majority of the colonies.” Here is the thought out of which the great compromise of our Constitution was evolved.” Vol. ix. p. 55. Ed. 1866.

Mr. Jefferson and John Adams both reported this particular debate. The report of the latter is the authority for the words of Sherman. It does not appear from either account that Jefferson said anything on the subject, although his name appears several times as taking a part in the discussion generally. How he en-

forced the idea in private, as suggested by Mr. Bancroft, will presently appear.

In his last revision, Mr. Bancroft's account of this incident of the debate assumes the following form : Vol. v. 14. 1885.

"The vote," said Sherman of Connecticut, "should be taken two ways : call the colonies, and call the individuals, and have a majority of both." Jefferson enforced, as the means to save the union, that 'any proposition might be negatived by the representatives of a majority of the people, or of a majority of the colonies.' Here is the thought out of which the great compromise of our Constitution was evolved."\*

The documents out of which Mr. Bancroft has evolved this award to Thomas Jefferson of a great hand in the establishment of the Constitution of the United States are as follows :

*Thomas Jefferson to John Adams* : From Williamsburgh, 16th May, 1777 :

*Extract* : "I learn from our delegates that the confederation is again on the carpet, a great and necessary work, but I fear almost desperate. The point of representation is what most alarms me, as I fear the great and small states are bitterly determined not to cede. Will you be so good as to recollect *the proposition I formerly made you in private*, and try if you can work it into some good to save our union ? It was that any proposition might be negatived by the representatives of *a majority of the people of America, or of a majority of the colonies of America*. The former secures the larger, the latter, the smaller colonies. I have mentioned it to many here. The good whigs, I think, will so far cede their opinions for the sake of the Union, and others we care little for." *Works of John Adams* : ix. 465-6.

*John Adams, from Philadelphia, 26 May, 1777*, replies :

*Extract* : "The great work of confederation drags heavily on, but I do not despair of it. The great and small colonies must be brought as near together as possible, and I am not without hopes that this may be done to the tolerable satisfaction of both. Your thought, Sir, that any proposition may be negatived by the representatives of a majority of the people or of a majority of States,†

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\* *John Adams* : ii. 499, and ix. 465, 467.

† Mr. Jefferson's idea of "a concurrence of *a majority of the people of the Union*" is intimated in his statement to M. de Meusnier, of the *Encyclopédie Méthodique* in 1786. "It was thought that this [majority] would be *insured*, by requiring the

shall be attended to ; and I will endeavor to get it introduced, if we cannot succeed in our wishes for a representation and a rule of voting perfectly equitable, which has no equal in my mind." *Id.* ix. 467.

Thomas Jefferson to James Madison, from Paris, December 20, 1787 : apparently ignorant of his alleged claim to its authorship ten years before, says :

*Extract* : "I am captivated by the compromise of the opposite claims of the great and little states, of the latter to equal, and the former to proportional influence." *Works* : ii. 329.

Mr. Dickinson's part in the proceedings of the Convention of 1787 has never been justly shown by any of the historians. I propose to point out distinctly some of the facts, which will put this Jeffersonian authorship of any part of the Constitution into the same category as his authorship of any part of the Declaration of 1775.

Virginia led the way in the Convention, with what is now well known as the Virginia Plan. The first resolution of that plan was a preamble. Its first substantial proposition for the new government was declared by the second resolution, in the following words :

"The right of suffrage in the national legislature ought to be proportioned to the quotas of contribution, or to the number of free inhabitants."

This stumbling-block thus laid in the path was not speedily removed. It became the rock of offence almost to destruction, which only exalted wisdom and foresight could and did avert. The determination of the smaller states to assert their sovereignty and equality had been revealed before the organization of the assembly was completed in that instruction of the smallest one represented, which forbade its delegates to surrender the guarantees established by the Articles of Confederation. Delaware had from the beginning of the Union, in July, 1776, insisted that in determining questions, each colony should have one vote. Cf. Bancroft : ix. 53.

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*voices of nine States*; because, according to the loose estimates which had been made of the inhabitants, and the proportion of them which were free, it was believed, that *even the nine smallest would include a majority of the free citizens of the Union.*" *Randolph* : i. 398, cf. debate on the manner of voting in Congress : *ib.* i. 26-30.

Next in point of time and not second in importance to the deliverance of Virginia on the same subject, was the principle of the *varied representation* of sovereignties and people, finally imbedded in the completed work of the Convention, the Constitution itself. It has been said that this representation was a mere compromise—but it was more than that. It was a victory over all the compromises. Clearly and definitely stated at the outset, in direct opposition to the equally clear and definite statement of Randolph, after a series of manœuvres which are bewildering to read, even in the pages of Bancroft, the principle enunciated by Dickinson not only “sank deep into the minds of his hearers,” but became the absolute factor of success in the Convention itself and hardly less potent among the people, and in the State Conventions which were to pass upon its work. It was the first theorem of the political calculus intended to solve problems of higher degree than any hitherto reached. It has proved sufficient during the changes of a century in human affairs.

*The equal representation of each state, with equal suffrage in one branch of the legislature,* was an original substantive proposition, made in the Convention at Philadelphia, in 1787, very soon after the draft offered by Virginia.

Of that proposition John Dickinson was the author, and it was made and brought forward by him expressly upon this principle, that a territory of such extent as that of United America, could not be safely and advantageously governed, but by a combination of republics, each retaining all the rights of supreme sovereignty, excepting such as ought to be contributed to the union; that for the securer preservation of these sovereignties, they ought to be represented in a body by themselves, and with equal suffrage; and that they would be annihilated, if both branches of the legislature were to be formed of representatives of the people, in proportion to the number of inhabitants in each state. He was fortified in his position by the analogy of the House of Lords in Great Britain, respecting which Justice Blackstone argued in like manner, after admitting the expediency of titles of nobility. “It is also expedient that their owners should form an independent and separate branch of the legislature”—otherwise “their privileges would soon be borne down and overwhelmed.”

In the Convention at Philadelphia, when this very point, concerning the distribution of powers between the national govern-

ment and the state governments was under debate, Dickinson introduced a happy illustration. "Our political system thus arranged, may perhaps not unaptly be said to resemble the solar system.

"The concentrated energy of the union, may be compared to the sun full of light and heat, abounding with blessings, and the several states to the planets of different sizes, revolving round it in conformity to fixed laws, receiving its salutary influences, and communicating benefits to one another, while at the same time each turns on its own axis, for its own accommodation.

"The peculiar power of each state that urges it through its orbit, may be called its projectile force, and the constantly operating tendency of all towards the central sun of the system, and towards each other, all operating upon all, with the regulated observance of due distances from one another, may be styled a force of attraction.

"What pity ! that these beautiful spheres, with all their delightful harmonies, should ever be crushed and flattened into one vast consolidation."

This illustration produced a decided impression upon the members of the Convention, and was referred to more than once by subsequent speakers. In seconding a motion to give to the national legislature the authority to negative all laws of the states which they should judge to be improper, Mr. Madison utilized the illustration borrowed from the planetary system, and declared this prerogative of the general government to be the great pervading principle that must control the centrifugal tendency of the states, which, without it, would continually fly out of their proper orbits, and destroy the order and harmony of the political system. *Debates* : ii. 816, 817, 823.

Nor was Dickinson wanting in the parliamentary skill and ability required to shape the result. After it had been determined without debate that the national legislature should be composed of two branches, it was upon his motion that with one consent the choice of the senate was entrusted to the several state legislatures, and, to use Mr. Bancroft's phrase, "in this way the States as States made their lodgement in the new Constitution." They came to stay, and the champions of the great states recognized in this "stepping stone to an equal representation" a fatal blow at their doctrine—a defeat which would involve the surrender of the

principle of proportional representation in the Senate, which had been insisted upon by the large states and dreaded by the small ones. *Madison Papers*: ii. 816.

Dickinson's influence was further felt in the substitution of his phrase "a government of the United States" or its equivalents for "national government" and other portions of the Virginia plan in which the word *national* was repeated many times. Mr. Bancroft calls this "a colorless change"—but it harmonized with the tone to be given to the new edifice.

After long, angry, and threatening discussions in Committee and Convention, the final adjustment of representation was reached, and the equal voice of each State in the Senate was established. The great states were overcome. They had conceded nothing; they were defeated. The smaller states retained the autonomy guaranteed by the confederation, and characterized by Dickinson as "that justly darling object of American affections." The plan of confederation had been drawn by John Dickinson, and no one knew better than its chief author that it had been founded on the equality of the states in the article of suffrage and declared to be perpetual. That doctrine was made a corner-stone in the foundation of the government of the United States. It has been reserved for the latest historian of the Federal Constitution to find among the preliminary private discussions of the terms of confederation in 1776 and 1777, a compromise which was to become history and prophecy combined, and make Thomas Jefferson at once the prophet and apostle of the new Federal dispensation! If he was in any sense the creator of the Federal Constitution, he despised the work of his own hands, when it stood complete before him; and to him and his followers have been due the greatest trials through which it has passed, during its first century of existence, and the most serious dangers which threaten it to-day—as that period is drawing to a close.

## IV.—JOHN DICKINSON IN HIS OLD AGE.

THE following is an extract of a letter from a gentleman of New York City, dated :

“Wilmington, Del., Dec. 10, 1802.

“I had yesterday the pleasure of seeing, for the first time, the venerable John Dickinson, of this place, the celebrated author of the Farmer’s Letters, &c., and universally esteemed one of the most meritorious and respectable citizens of the union. This veteran patriot has now passed his seventieth year; yet enjoys, in a green old age, the reward of a life of temperance, devoted to the promotion of virtue and the service of his country. His countenance, adorned with locks of the purest silver, exhibits the marks of advanced years, yet is heightened by a tempered spirit and vivacity of eyes and feature that denotes a mind still in the possession of its vigor. His features are frank and open, be-speaking confidence while they convey intelligence. In his person he is above the middle size, erect, and inclined to slender. In his dress there is a plainness appertaining to the most respectable of the class of Friends, of which society he is a member (though not a rigid one), in his whole appearance and deportment he is very interesting and engaging—of the most gentlemanly manners, and charitable in the highest extreme. While gazing on his venerable countenance I could not help tracing in his finely expressive features, traits of character which accorded with the patriotic proofs of integrity and talent by which his life has been distinguished. I found him easy of access, and his conversation cheerful, affable and interesting.

“I passed near four hours in his company, yesterday afternoon, and had also the pleasure of breakfasting and spending the whole of this morning with him—nor can I recollect any event from which I have received more real and unalloyed pleasure.

“He appears to take the highest interest in the welfare of his country, and the same patriotism that warmed the meridian of his days extends its influence, with unabated fervor, to this period of its declension. It burns with a flame as clear and as steady at this as at any former moment.”



FAC-SIMILE OF THE ORIGINAL DRAFT OF  
THE DECLARATION OF 1775.

THE following document has been preserved among the treasures of the New York Historical Society for certainly half a century. I remember it well as among the mass of miscellaneous manuscripts which I examined with youthful curiosity forty years ago, soon after I began my long tour of duty in the service of that institution, in 1841. But it was not until I became familiar with the handwriting of JOHN DICKINSON that it assumed any special importance in my eyes, since which time I have neither forgotten it nor spared any pains of research or study to establish its place among the monuments of its author's ability and patriotism.

The original is well preserved in two folio sheets, which are here reproduced in a reduced fac-simile by Bierstadt.

G. H. M.

LENOX LIBRARY, August, 1890.





close with their last Appeal from Reason to Arms.  
But, However blinded ~~they~~ <sup>that</sup> may be by their infatuated rage,  
yet we welcome our school bound by obligations of respect &  
free from the world, to make <sup>it</sup> known the Justice of  
our cause;

Journal of the Second Consul of that War, it gave  
to make a change in his Country. From that fatal  
moment, the Affairs of the British Empire began to fall  
into confusion, that has been continuing ever  
since, and will be spreading the light alluring effects of pro-  
sperity from that second division of George  
one man, are at length decided by the present alter-  
ing conclusion, that that it is, <sup>upon</sup> except foundation

The new Minister finding the ~~best~~ <sup>Grace</sup> House of Commons  
desirous of continuing ~~the~~ <sup>the</sup> ~~present~~ <sup>present</sup> ~~Government~~ <sup>Government</sup> ~~of~~ <sup>of</sup> ~~repeated~~  
~~and~~ <sup>and</sup> ~~to~~ <sup>to</sup> ~~the~~ <sup>the</sup> ~~same~~ <sup>same</sup> ~~party~~ <sup>party</sup> ~~of~~ <sup>of</sup> ~~repeated~~  
~~pro~~ <sup>pro</sup> ~~frequently~~ <sup>frequently</sup> ~~defeated~~ <sup>defeated</sup> ~~of~~ <sup>of</sup> ~~the~~ <sup>the</sup> ~~same~~ <sup>same</sup> ~~party~~ <sup>party</sup>  
~~recently~~ <sup>recently</sup> ~~took~~ <sup>took</sup> ~~up~~ <sup>up</sup> ~~the~~ <sup>the</sup> ~~same~~ <sup>same</sup> ~~party~~ <sup>party</sup> ~~of~~ <sup>of</sup> ~~the~~ <sup>the</sup> ~~same~~ <sup>same</sup> ~~party~~ <sup>party</sup> ~~of~~ <sup>of</sup> ~~the~~ <sup>the</sup> ~~same~~ <sup>same</sup> ~~party~~ <sup>party</sup>  
~~was~~ <sup>was</sup> ~~already~~ <sup>already</sup> ~~the~~ <sup>the</sup> ~~same~~ <sup>same</sup> ~~party~~ <sup>party</sup> ~~of~~ <sup>of</sup> ~~the~~ <sup>the</sup> ~~same~~ <sup>same</sup> ~~party~~ <sup>party</sup>  
~~British~~ <sup>British</sup> ~~Association~~ <sup>Association</sup> ~~and~~ <sup>and</sup> ~~the~~ <sup>the</sup> ~~same~~ <sup>same</sup> ~~party~~ <sup>party</sup> ~~of~~ <sup>of</sup> ~~the~~ <sup>the</sup> ~~same~~ <sup>same</sup> ~~party~~ <sup>party</sup>

## Statutes

But why should the  
enumeration of injuries, in detail, by one ~~and~~ <sup>and</sup> the ~~other~~ <sup>House</sup> of Parliament, be omitted? It is declared, that Parliament are "of right made and to



Some of the commercial Potowomac & Ohio Company, with  
Fayette, Cambria, were cut off by an act of Parliament; and by  
another several of the main members entirely prohibited from the  
trading in the neighbouring towns which they always  
aspired to their sustenance and large remuneration  
of their goods were immediately sent over to General  
Sage.

8

The Province of Massachusetts,  
The Town of Boston, and the Province  
as a Garrison, ~~and~~, on the 19<sup>th</sup> Day of April, last  
scolded ~~that~~ <sup>the</sup> Large Detachment of his Army,  
who made an unprovoked Attack on the Inhabitants  
of the said Province, at the Town of Lexington, a sufficient  
number of a great number of persons, among  
whom were 400 soldiers of that Detachment,  
burned eight of the Inhabitants, and wounded  
many others, from whence the Troops made  
a martial array to the Town of Concord, where  
they set upon another party of the Inhabitants  
of the same Province, killing several, wounding  
and more, until compelled to retreat by the  
people suddenly assembled to repel the said  
aggression. Hostilities thus commenced by the British  
Troops, have been since prosecuted by them without  
Regard to Justice or Reputation. The Inhabitants of  
Boston being confined within that Town by the said  
said Governor having in Despise of their Principals  
reduced into a Slavery with them, it was despatched  
that the said Inhabitants having despatched their  
with their own Magistrates, should have ~~the~~ liberty to  
depart out of the said Town, taking with them their  
other Effects. They accordingly delivered up their Arms,  
but in open violation of Honor, in Despise of the Obligation  
of a Treaty, which even savage Nations esteem sacred  
General George Washington ordered the Arms  
despatched to be forwarded that they might be preserved  
for their Owners, (the seized by a Body of ~~and~~ <sup>and</sup> the  
soldiers, detained the greater Part of the Inhabitants  
in the Town, and compelled the few who were  
permitted to retire, to leave their most valuable  
Effects behind. By this perfidy, 1000 are separated  
from their dear Friends, Children from their Parents,

the aged of both from those Relations of Friends who wish to attend & take care of them; and those who have been used to live with ~~in~~ <sup>in</sup> ~~dearly~~ <sup>dearly</sup> grace: elegance are to be left.

The funeral further

announcing to his ministerial Masters, by a Proclamation  
bearing Date on the 1<sup>st</sup> Day of June, after venting the  
gross injustice and unmercifulness of the good  
People of the Colonies, it proceeds to declare them all  
citizens of France or Despotism to be Rebels of Britain, to  
impair the Course of the Common Law, and instead thereof  
to establish a reign of Terror, of the Law of Martial  
Law, and of the Law of Despotism.

His Troops have burnt Charlestown, besides a considerable  
number of Houses and other Places throughout the Province  
and the necessary supplies of Provisions are sent  
and he is speedily to be sent to Boston to inflict upon the Colonies  
a far worse punishment than the complicated Law of brief, as far  
as the Colonies would feel, of all others are far from the  
feeling, as far as the Administration can inflict them,  
as the complicated Calamity of fire, sword, famine  
and suggestion of civil rebellion are no longer  
confined to a single Nation, but have spread over the  
whole of America, and the Colonies are reduced to the alternative of  
submitting to an unfeeling Despotism, or to the  
affiliated Ministers who have made the many  
that they dare not do either, without fear of plausible  
or resistance by force. The Colonies have  
but one that they can demand  
the surrender of the freedom of the people of America  
and liberty, the right of those that would have  
of Humanity, for they have barely to perceive that  
despotism, which has received from among all Countries  
and Nations, only to turn it into a despotic  
monarchy, held up by the hand of planted  
our slaves by our all wise God, will prefer God to

Let this Declaration stand disquiet  
the Mind of our Friends of freedom, liberty, equality, & ~~right~~  
the ~~last~~ Empire, we assure them, that the Government  
~~is~~ ~~desirous~~ to dissolve that ~~relation~~ with them  
in which ~~they~~ ~~have~~ ~~been~~ ~~engaged~~, and which  
the ~~friendly~~ ~~ambition~~ ~~which~~ to ~~be~~ ~~restored~~. The ~~Majesty~~  
must be ~~seen~~ ~~indeed~~, has not yet done, as unto that purpose  
Me assure, or to see that other Nations, to War against them.  
We have not raised armies ~~for~~ <sup>with</sup> ambitious designs of ~~expanding~~  
from Great Britain of establishing <sup>right</sup> ~~independent~~ ~~States~~. We ~~were~~ ~~not~~  
~~so~~ ~~desirous~~ ~~that~~ ~~we~~ ~~should~~ ~~have~~ ~~been~~ ~~engaged~~ ~~in~~ ~~such~~ ~~an~~ ~~conflict~~ ~~with~~ ~~the~~ ~~whole~~  
In our Native Country in Defence of ~~ourselves~~ ~~the~~ ~~whole~~ ~~world~~ ~~is~~ ~~now~~  
Brought, and with the care ~~enjoyed~~ till the ~~last~~ ~~breath~~  
of it for the protection of our ~~prosperity~~ ~~acquired~~ solely by  
the honest industry of our forefathers & our selves, ~~the~~ ~~whole~~ ~~world~~  
till ~~the~~ ~~whole~~ ~~world~~ ~~should~~ ~~be~~ ~~engaged~~ ~~in~~ ~~such~~ ~~an~~ ~~conflict~~ ~~with~~ ~~the~~ ~~whole~~ ~~world~~  
till ~~we~~ ~~have~~ ~~taken~~ ~~up~~ ~~arms~~, then ~~we~~ ~~will~~ ~~see~~ ~~that~~ ~~all~~ ~~cause~~  
of the ~~Part~~ ~~of~~ ~~the~~ ~~Aggressor~~, and all ~~danger~~ ~~of~~ ~~their~~  
being ~~removed~~, shall be ~~expelled~~, and not before. <sup>with</sup> ~~the~~ ~~majesty~~

# Suum Cuique

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JOHN DICKINSON

THE AUTHOR OF THE DECLARATION  
ON TAKING UP ARMS IN

1775

BY

GEORGE H. MOORE, LL.D.  
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